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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,028	06/18/2001	Kazuo Yoshioka	2257-0188P-SP	8801
2292 7590 04/24/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER SCHNURR, JOHN R	
			ART UNIT	PAPER NUMBER
			2623	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		04/24/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/24/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.		Applicant(s)	
	09/882,028		YOSHIOKA, KAZUO	
	Examiner		Art Unit	
	John R. Schnurr		2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-15 is/are pending in the application.
- 4a) Of the above claim(s) 3-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 7-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06/18/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/882,028.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :06/18/2001, 09/09/2003, 06/28/2005.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/08/2006 has been entered.

DETAILED ACTION

2. This Office Action is in response to Application No. 09/882,028 filed 06/18/2001. Claims 1, and 7-15 are pending and have been examined.

Response to Arguments

3. Applicant's arguments, filed 11/08/2006, with respect to claims 1 and 7-15 have been considered but are moot in view of the new ground(s) of rejection.

Status of Claims

4. Claims 3-6 have been withdrawn and upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic

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claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims **1 and 7-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Maa (US Patent 5,818,935)** in view of **Saito (US Patent 5,901,339)**.

Consider **claims 1, 12 and 14**, Maa clearly teaches a receiver comprising:

a receiving section for receiving a first communication signal through a first communication system (**Fig. 1: TV tuner 14 receives a video signal with an Internet information pointer encoded thereon, column 4 lines 19-24.**)

a transmitting and receiving section which requests a second communication signal containing release information and receiving the second communication signal through a second communication system, enabling bidirectional communication (**Fig. 1: Modem 26 requests a decryption key from an Internet website and receives a signal containing the decryption key, column 7 lines 26-30.**)

the first communication signal contains transmission source information used to obtain the release information (**The Internet information pointer contained in the video signal provides a specific URL which is used to obtain the decryption key, column 7 lines 15-30.**)

the receiver receives the second communication signal automatically using the transmission source information contained in the first signal. (**The obtaining of the decryption key is handled automatically by an integrated unit, column 7 lines 56-61.**)

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Maa further teaches normally displaying the content only when the decryption key is provided. However, Maa does not explicitly teach providing limitation information in the first communication signal and matching the limitation and release information in order to determine whether or not to display the content.

In an analogous art Saito, which discloses a system for displaying video content, clearly teaches providing limitation information encoded within a video signal to a first communication system. **(Fig. 5: A program number is provided with the video signal being received by the receiving device, column 7 lines 26-28.)** The limitation information is then compared to the release information and displayed if a match is found or not displayed if a match is not found. **(Fig. 5: The program number received with the video signal, limitation, is compared to the decode data and program number received via the data communication device, release, if a match is found the video is displayed, column 7 lines 35-45.)**

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Maa by providing limitation information with the video signal and comparing the limitation and release information to determine whether or not to display the video, as taught by Saito, for the benefit of providing users with premium broadcast channels without the need for a contract (see column 1 lines 56-65 Saito).

Consider **claims 7 and 15**, Maa and Saito, combined as in claims 1 and 14, clearly teach multiplexing with the content the limitation information **(Program number are combined with the program, column 7 lines 26-28 Saito.)** and the source information **(Internet information is encoded into the video signal, column 4 lines 19-24.)**.

Consider **claim 8**, Maa and Saito, combined as in claim 1, clearly teach the output section indicating that communication is being carried out through the second communication system upon request and receipt of said second communication signal. **(The processing unit generates a display of the activities of the web browser, column 4 line 61-63 Maa.)**

Consider **claim 9**, Maa and Saito, combined as in claim 1, clearly teach the contents include video data. **(Column 4 lines 19-37 Maa)**

Consider **claim 10**, Maa and Saito, combined as in claim 1, clearly teach the contents include music data. **(Column 15 lines 1-2 Maa)**

Consider **claim 11**, Maa and Saito, combined as in claim 1, clearly teach the contents include program data. **(Column 15 lines 13-19 Maa)**

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Consider **claim 13**, Maa and Saito, combined as in claim 12, clearly teach the distribution of the release information is executed in response to a predetermined request. **(To view encrypted video signals a request for a key is made, column 7 lines 18-22 Maa.)**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R. Schnurr whose telephone number is (571) 270-1458. The examiner can normally be reached on Monday - Friday, 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

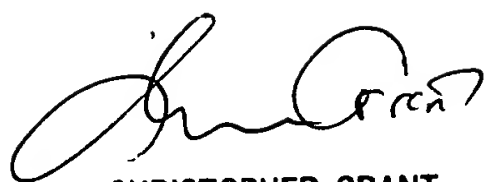
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRS

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A handwritten signature in black ink, appearing to read "Chris Grant", with a stylized flourish at the end.

CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600